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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

200300687-1

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Application Number

10/734,938

Filed

12/12/2003

First Named Inventor

Lee W. ATKINSON

Art Unit

2121

Examiner

T. K. Pham

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record. 44,144
Registration number

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____


Signature

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Typed or printed name

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Telephone number

01/31/2007

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of one (1) forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants:	Lee W. ATKINSON et al.	§	Confirmation No.:	1470
		§		
Serial No.:	10/734,938	§	Group Art Unit:	2121
		§		
Filed:	12/12/2003	§	Examiner:	Thomas K. Pham
		§		
For:	System And Method For	§	Docket No.:	200300687-1
	Power Management When	§		
	An Operating Voltage Is	§		
	Between Two Thresholds	§		

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: January 31, 2007

Sir:

Appellants hereby submit this Pre-Appeal Brief Request for Review in connection with the above-identified application. A Notice of Appeal is filed concurrently herewith.

In the Final Office Action dated December 4, 2006, the Examiner used Chandrakasan to reject all claims with some rejections based on a combination of Chandrakasan with other cited art. Appellants respectfully submit that the art of record fails to teach at least one element of the claims thereby rendering the Examiner's rejections defective.

Chandrakasan is directed to an adaptive power supply to provide power to a particular kind of transistor structure (a "triple well" transistor structure). See e.g., col. 2 ll. 43-52. Chandrakasan explains that the disclosed system responds to an "operating condition" to control power consumption of the device in which the adaptive power supply is located. Examples of such operating conditions are given as temperature and workload. Col. 2 ll. 36-38. Chandrakasan teaches selecting and setting a supply voltage to control power dissipation. For example, Chandrakasan teaches that a "system cooperatively adjusts both a supply

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voltage and a threshold voltage, in response to a present operating condition of the digital circuit, to control power dissipation.” Col. 2 ll. 54-57.

In the Examiner’s Response to Arguments (page 11 of the Final Office Action), the Examiner relied heavily on col. 6 ll. 18-55 of Chandrakasan. That passage discloses a closed control loop implemented to “cooperatively select and apply a supply voltage and select and set a threshold voltage, and thus control a power dissipation.” Co. 6 ll. 44-46.

Claim 1 requires, among other limitations:

if an operating voltage for the system is between two thresholds, the power management logic forces the electrical load to operate in a reduced power state.”

Thus, claim 1 requires forcing a load to operate in a reduced power state based on the operating voltage for the system. The operating voltage is thus a trigger for the system’s power state. Chandrakasan does not teach or even suggest forcing a load to operate in a reduced power state if an operating voltage is between two thresholds. Instead, Chandrakasan teaches adjusting power supply voltages based on operating conditions such as temperature and workload. None of the other art of record satisfies this deficiency of Chandrakasan. Whereas Chandrakasan teaches setting the power supply voltage to achieve a target power dissipation, claim 1 requires forcing the load to operate in a reduced power state based on whether the operating voltage is between two thresholds. At least for this reason, claim 1 and all claims dependent thereon are in condition for allowance.

Independent claims 12, 16, and 18 contain the same or similar limitation as claim 1. Thus, claims 12, 16, and 18 and their dependent claims are patentable at least for the same or similar reason as claim 1.

Appellants also respectfully note that an argument regarding claim 2 was previously present (Response filed September 28, 2006), but was not addressed by the Examiner.

Appellants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees

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are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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